

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

**BRANDON CALLIER,
Plaintiff,**

v.

**CAROLINA ROCHA,
QUOTEFIRE.COM, and
ALLSTATE
CORPORATION,
Defendants.**

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EP-20-CV-266-PRM

ORDER OF DISMISSAL

On this day, the Court considered Plaintiff Brandon Callier's [hereinafter "Plaintiff"] "Motion to Dismiss With Prejudice" (ECF No. 5) [hereinafter "Motion"], filed on November 23, 2020, in the above-captioned cause. Therein, Plaintiff avers that "[t]he parties have resolved the case" and prays that the Court "dismiss the case against all parties with prejudice." Mot. 1.

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A), a "plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or motion for summary judgment." Here, Plaintiff has filed a notice of dismissal before any of the opposing parties served an answer or

entered an appearance. *See* Mot. 1. Hence, the Court is of the opinion that the above-captioned cause should be dismissed with prejudice.

Accordingly, **IT IS ORDERED** that the Plaintiff Brandon Callier's "Motion to Dismiss With Prejudice" (ECF No. 5) is **GRANTED**.

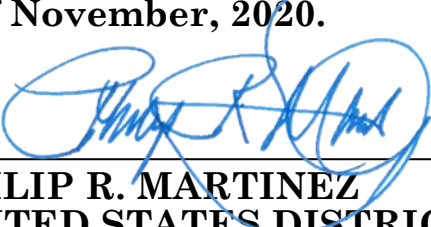
IT IS FURTHER ORDERED that the above-captioned cause is **DISMISSED WITH PREJUDICE** with each party to bear its own costs.

IT IS FURTHER ORDERED that all settings in this matter are **VACATED**.

IT IS FURTHER ORDERED that all pending motions in this cause, if any, are **DENIED AS MOOT**.

FINALLY, IT IS ORDERED that the Clerk shall **CLOSE** this case.

SIGNED this 24th day of November, 2020.



PHILIP R. MARTINEZ
UNITED STATES DISTRICT JUDGE